


UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 13-CA-295623	Date Filed 5/11/2022

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Curaleaf	b. Tel. No. (b) (6), (b) (7)(C) c. Cell No. f. Fax No. g. e-mail (b) (6), (b) (7)(C) @curaleaf.com h. Number of workers employed 33
d. Address (Street, city, state, and ZIP code) 923 W. Weed St, Chicago, IL 60642	e. Employer Representative (b) (6), (b) (7)(C)
i. Type of Establishment (factory, mine, wholesaler, etc.) Retail	j. Identify principal product or service Cannabis
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) - Within the last six (6) months the Employer has violated the Act by refusing to recognize the Union. - Within the last six (6) months the Employer has violated the Act by refusing to bargaining with the Union.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Local 881 United Food and Commercial Workers	
4a. Address (Street and number, city, state, and ZIP code) 1350 E Touhy Ave #300e, Des Plaines, IL 60018	4b. Tel. No. 847-294-5064 4c. Cell No. 4d. Fax No. 4e. e-mail BillOKeefe@local881ufcw.org
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) United Food and Commercial Workers International Union	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">  <small>(signature of representative or person making charge)</small> </div> <div style="width: 45%;"> Joseph C. Torres, Attorney <small>(Print/type name and title or office, if any)</small> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> Address <u>20 S. Clark St., Suite 1720, Chicago, IL 60603</u> </div> <div style="width: 45%;"> Date <u>5/11/2022</u> </div> </div>	
Tel. No. 312-641-2910 Office, if any, Cell No. Fax No. e-mail joe@karmellawfirm.com	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Agency Website: www.nlrb.gov
Telephone: (312)353-7570
Fax: (312)886-1341



Download
NLRB
Mobile App

May 11, 2022

Local 881 United Food & Commercial Workers
1350 E Touhy Suite 300E
Des Plaines, IL 60018

Re: Curaleaf
Case 13-CA-295623

Dear Sir or Madam:

The charge that you filed in this case on May 11, 2022 has been docketed as case number 13-CA-295623. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Cristina M. Ortega whose telephone number is (312)353-7169 and whose e-mail address is cristina.ortega@nlrb.gov. If this Board agent is not available, you may contact Supervisor Field Examiner Joyce A. Hofstra whose telephone number is (312)353-7609.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in dark ink, reading "Daniel N. Nelson". The signature is fluid and cursive, with the first name "Daniel" and last name "Nelson" clearly legible.

Daniel N. Nelson
Acting Regional Director

cc: Joseph C. Torres
United Food and Commercial Workers
Union, Local 700
20 S. Clark St. Suite 1720
Chicago, IL 60603

Nicholas W. Clark, General Counsel
United Food and Commercial Workers
International Union (UFCW)
1775 K Street NW, Basement
Washington, DC 20006-1598



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Agency Website: www.nlrb.gov
Telephone: (312)353-7570
Fax: (312)886-1341



Download
NLRB
Mobile App

May 11, 2022

(b) (6), (b) (7)(C)
923 W. Weed Street
Chicago, IL 60642

Re: Curaleaf
Case 13-CA-295623

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Cristina M. Ortega whose telephone number is (312)353-7169 and whose e-mail address is cristina.ortega@nlrb.gov. If this Board agent is not available, you may contact Supervisor Field Examiner Joyce A. Hofstra whose telephone number is (312)353-7609.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge by May 25, 2022. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Daniel N. Nelson". The signature is written in a cursive, flowing style.

Daniel N. Nelson
Acting Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

NATIONAL LABOR RELATIONS BOARD NOTICE OF APPEARANCE

<p>CURALEAF,</p> <p style="text-align: center;">Employer,</p> <p style="text-align: center;">and</p> <p>UNITED FOOD AND COMMERCIAL WORKERS INTERNATIONAL UNION, LOCAL 881</p> <p style="text-align: center;">Union.</p>	
---	--

CASE NO.: 13-CA-295623

TO: (Check One Box Only)¹

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS BOARD
Region 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027 | <input type="checkbox"/> EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD | <input type="checkbox"/> GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD |
|---|---|---|

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF

CURALEAF, INC. _____

CHECK THE APPROPRIATE BOX(ES) BELOW:

- ☒ **REPRESENTATIVE IS AN ATTORNEY**
- ☒ **IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASE HANDLING MANUAL.**

(REPRESENTATIVE INFORMATION)

NAME Jeffrey E. Dilger, Esq.; Stefan Marculewicz, Esq.

MAILING ADDRESS Littler Mendelson, 80 South 8th Street, Suite 1300, Minneapolis, MN 55402;
Littler Mendelson, P.C., 815 Connecticut Avenue NW, Washington, DC 20006

E-MAIL ADDRESS jdilger@littler.com; smarculewicz@littler.com

OFFICE TELEPHONE NUMBER 612.313.7628; 202.423.2415

CELL PHONE NUMBER 651.216.1769; 410.404.7805 FAX 612.677.3818; 202.315.3477

SIGNATURE */s/ Jeffrey E. Dilger*
(Please sign in ink)

DATE May 17, 2022

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

Amended

DO NOT WRITE IN THIS SPACE

Case
13-CA-295623Date Filed
7/26/2022**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer GHG Management LLC, d/b/a Windy City Cannabis and d/b/a Curaleaf Weed Street		b. Tel. No. (b) (6), (b) (7)(C)
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code) 923 W. Weed St., Chicago, IL 60642	e. Employer Representative (b) (6), (b) (7)(C)	g. e-mail (b) (6), (b) (7)(C)@curaleaf.com
		h. Number of workers employed 33
i. Type of Establishment (factory, mine, wholesaler, etc.) Retail	j. Identify principal product or service Cannabis	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

- Within the last six (6) months the Employer has violated the Act by refusing to recognize the Union.
- Within the last six (6) months the Employer has violated the Act by refusing to bargain with the Union.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Local 881 United Food and Commercial Workers

4a. Address (Street and number, city, state, and ZIP code) 1350 E. Touhy Ave., #300e, Des Plaines, IL 60018	4b. Tel. No. 847-294-5064
	4c. Cell No.
	4d. Fax No.
	4e. e-mail BilIOKeefe@local881ufcw.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Joseph C. Torres, Attorney

(signature of representative or person making charge)

(Print/type name and title or office, if any)

20 S. Clark St., Suite 1720, Chicago, IL 60603

Address

Date 7/26/2022

Tel. No.
312-641-2910

Office, if any, Cell No.

Fax No.

e-mail
joc@karmellawfirm.com**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Agency Website: www.nlrb.gov
Telephone: (312)353-7570
Fax: (312)886-1341



Download
NLRB
Mobile App

July 26, 2022

(b) (6), (b) (7)(C)

923 W. Weed Street
Chicago, IL 60642

Re: GHG Management LLC, d/b/a Windy City
Cannabis and d/b/a Curaleaf Weed Street
Case 13-CA-295623

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Examiner Cristina M. Ortega whose telephone number is (312)353-7169 and whose email address is Cristina.Ortega@nlrb.gov. If the agent is not available, you may contact Supervisor Field Examiner Joyce A. Hofstra whose telephone number is (312)353-7609.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a

July 26, 2022

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Angie C. Hamada", with a long horizontal flourish extending to the right.

Angie C. Hamada
Regional Director

Enclosure: Copy of first amended charge

cc: Jeffrey E. Dilger, Attorney
Littler Mendelson, P.C.
80 South 8th Street, Suite 1300
Minneapolis, MN 55402-2136

Stefan J. Marculewicz, Attorney
Littler Mendelson, P.C.
815 Connecticut Ave NW Ste 400
Washington, DC 20006-4046



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Agency Website: www.nlr.gov
Telephone: (312)353-7570
Fax: (312)886-1341



Download
NLRB
Mobile App

July 26, 2022

Local 881 United Food & Commercial Workers
1350 E Touhy Suite 300E
Des Plaines, IL 60018

Re: GHG Management LLC, d/b/a Windy City
Cannabis and d/b/a Curaleaf Weed Street
Case 13-CA-295623

Dear Sir or Madam:

We have docketed the first amended charge that you filed in this case.

Investigator: This charge is being investigated by Field Examiner Cristina M. Ortega whose telephone number is (312)353-7169 and whose email address is Cristina.Ortega@nlrb.gov. If the agent is not available, you may contact Supervisor Field Examiner Joyce A. Hofstra whose telephone number is (312)353-7609.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the

July 26, 2022

Agency's web site (www.nlr.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,



Angie C. Hamada
Regional Director

cc: Joseph C. Torres, Attorney
United Food and Commercial Workers
Union, Local 700
20 S. Clark St. Suite 1720
Chicago, IL 60603

Nicholas W. Clark, General Counsel
United Food and Commercial Workers
International Union (UFCW)
1775 K Street NW, Basement
Washington, DC 20006-1598

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 13**

**GHG MANAGEMENT LLC, D/B/A WINDY CITY
CANNABIS AND D/B/A CURALEAF WEED
STREET**

and

Case 13-CA-295623

**UNITED FOOD & COMMERCIAL WORKERS
LOCAL 881**

COMPLAINT

This Complaint is based on a charge filed by United Food & Commercial Workers Local 881 (Charging Party or Union). It is issued pursuant to Section 10(b) of the National Labor Relations Act (the Act), 29 U.S.C. § 151 et seq., and Section 102.15 of the Rules and Regulations of the National Labor Relations Board (the Board) and alleges that GHG Management LLC, d/b/a Windy City Cannabis and d/b/a Curaleaf Weed Street (Respondent) has violated the Act as described below.

I.

(a) The charge in this proceeding was filed by the Union on May 11, 2022, and a copy was served on Respondent by U.S. mail on May 11, 2022.

(b) The first amended charge in this proceeding was filed by the Union on July 26, 2022, and a copy was served on Respondent by U.S. mail on July 26, 2022.

II.

(a) At all material times, Respondent, an Illinois limited liability company doing business as Windy City Cannabis or Curaleaf Weed Street, with an office and place of business in Chicago, Illinois, is an employing entity for a retail cannabis dispensary operator.

(b) In conducting its operations during the 12-month period ending July 15, 2022, Respondent performed services valued in excess of \$50,000 in States other than the State of Illinois.

(c) At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

III.

At all material times, the Union has been a labor organization within the meaning of Section 2(5) of the Act.

IV.

(a) The following employees of Respondent (the Unit) constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

Included: All full-time and regular part-time product specialists employed by the Employer from its facility currently located at 923 W. Weed Street in Chicago, Illinois.

Excluded: Managers, product specialist leads, agents in charge, office clerical employees and guards, professional employees and supervisors as defined in the Act.

(b) On August 5, 2021, the Acting Regional Director for Region 7 issued a Decision and Certification of Representative in case 13-RC-271360 certifying the Charging Party as the exclusive collective-bargaining representative of the Unit.

(c) On April 21, 2022, the Board affirmed the Acting Regional Director's Decision and Certification of Representative in case 13-RC-271360.

(d) At all times since August 5, 2021, based on Section 9(a) of the Act, the Charging Party has been the exclusive collective-bargaining representative of the Unit.

V.

(a) On April 26, 2022, the Charging Party, by letter, requested that Respondent meet to bargain collectively with the Charging Party as the exclusive collective-bargaining representative of the Unit.

(b) On May 5, 2022, by email, Respondent refused to recognize and bargain with the Charging Party as the exclusive collective-bargaining representative of the Unit.

(c) Respondent's purpose in refusing to bargain is to test the certification the Acting Regional Director issued in case 13-RC-271360.

VI.

(a) By the conduct described above in paragraph V, Respondent has been failing and refusing to bargain collectively and in good faith with the exclusive collective-bargaining representative of its employees in violation of Section 8(a)(1) and (5) of the Act.

(b) The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

WHEREFORE, as part of the remedy for Respondent's unfair labor practices alleged above in paragraphs V and VI, the General Counsel seeks an Order requiring Respondent to:

- (1) bargain with the Union, on request, within 15 days of a Board Order;
- (2) bargain in good faith with the Union, on request, for the period required by *Mar-Jac Poultry Co.*, 136 NLRB 785 (1962), as the recognized bargaining representative in the appropriate unit;
- (3) bargain with the Union, on request, for a minimum of 15 hours a week until an agreement or lawful impasse is reached or until the parties agree to a respite in bargaining;
- (4) bargain with the Union, on request, with the engagement of a mediator from Federal Mediation and Conciliation Service;
- (5) prepare written bargaining progress reports every 15 days and submit them to the Regional Director and also serve the reports on the Union to provide the Union with an opportunity to reply;
- (6) reimbursement of collective-bargaining expenses, e.g., requiring Respondent to reimburse the Union for negotiation expenses incurred during the entire period in which it failed to bargain in good faith;
- (7) send by regular mail and e-mail any Notice to Employees that may issue in this proceeding to all of its employees who were employed by it at any time from August 5, 2021 through the present, at its Chicago, Illinois facility described in paragraph II.

The General Counsel further seeks a broad cease-and-desist order requiring Respondent to cease and desist "in any other manner" from interfering with, restraining, or coercing employees in the exercise of their Section 7 rights, that the Order provides the full panoply of remedies available to ensure that the victims of this unlawful conduct are made whole for losses suffered as a result of Respondent's unfair labor practices.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the complaint. The answer must be **received by this office on or before August 11, 2022, or postmarked on or before August 10, 2022.** Respondent also must serve a copy of the answer on each of the other parties.

The answer must be filed electronically through the Agency's website. To file electronically, go to www.nlr.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the

detailed instructions. Responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the complaint are true.

Dated: July 28, 2022

/s/ Angie Cowan Hamada

Angie Cowan Hamada
Regional Director
National Labor Relations Board
Region 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027